

House File 2313 - Introduced

HOUSE FILE 2313

BY SCHULTZ

A BILL FOR

1 An Act relating to judicial authority, and making penalties
2 applicable.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 602.1100 Judicial authority.

2 1. A judicial officer shall not use judicial precedent,
3 case law, penumbras, or international law as a basis for
4 rulings. A judicial officer shall only use the Constitution
5 of the United States, the Constitution of the State of Iowa,
6 and the Code of Iowa as the basis for any ruling issued by such
7 judicial officer. The only source material that may be used
8 for interpreting the Constitution of the United States by a
9 judicial officer in this state shall be the Federalist papers
10 and other writings of the founding fathers to describe the
11 intent of the founding fathers, and if such source material is
12 used, the full context of the source material must be used by
13 the judicial officer.

14 2. This section is not reviewable by the court.

15 3. A violation of this section by a judicial officer shall
16 be considered malfeasance in office and subjects the judicial
17 officer to impeachment under chapter 68.

18 EXPLANATION

19 This bill relates to judicial authority.

20 Under the bill, a judicial officer shall not use judicial
21 precedent, case law, penumbras, or international law as a
22 basis for rulings. The bill specifies that a judicial officer
23 shall only use the Constitution of the United States, the
24 Constitution of the State of Iowa, and the Code of Iowa as the
25 basis for any ruling issued by such officer.

26 Under the bill, the only source material that may be used
27 for interpreting the Constitution of the United States by a
28 judicial officer in this state shall be the Federalist papers
29 and other writings of the founding fathers to describe the
30 intent of the founding fathers, and if such source material is
31 used, the full context of the source material cited must be
32 used by the judicial officer.

33 The provisions in the bill are not reviewable by the court.

34 A violation of this bill by a judicial officer shall be
35 considered malfeasance in office and subjects the judicial

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1 officer to impeachment under Code chapter 68.

2 A judicial officer is defined in Code section 602.1101(7).